



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बृहस्पतिवार, 13 अक्टूबर, 1977/21 आश्विन, 1899

GOVERNMENT OF HIMACHAL PRADESH

PANCHAYATI RAJ VIBHAG

NOTIFICATIONS

Simla-2, the 4th October, 1977

No. PCH. H-A(4)-17/76.—In exercise of the powers conferred by section 60 of the Himachal Pradesh Panchayati Raj Act, 1968 (Act No. 19 of 1970), the Governor, Himachal Pradesh is pleased to make the following amendments in the Himachal Pradesh Panchayati Raj (General) Financial, Budget, Accounts, Audit, Taxation, Service and Allowances Rules, 1975, the same having been previously published in the Rajpatra (Extraordinary) dated 12th August, 1977. They shall come into force at once.

AMENDMENTS

In the Himachal Pradesh Panchayati Raj (General) Financial, Budget, Accounts, Audit, Taxation, Service and Allowances Rules, 1975 (hereinafter called the said

rules) in Part A, after Chapter V, the following Chapter V-A with the following rules shall be added, namely:—

“CHAPTER V-A

CATTLE POUNDS

Admission
of Animals.
Section 18
(1) (f) of
the Act.

35-A. (1) On the admission of an animal to a pound, the Pound-Keeper shall fill up columns (1 to 8) of a Pound Register to be maintained in Form B-50 taking the signatures or thumb-mark of the person impounding the animals in column (7) and shall then issue a receipt for the impounded animal in Form B-51.

(2) Each animal admitted shall ordinarily be entered on a separate line in the Pound Register. In the case, however, of large flocks or herds admitted at one time, a discretion is left to the Pound-Keeper in this respect.

Release of
Animals.

35-B. (1) When the owner of an impounded animal or his agent appears to demand the release of his animal, the Pound-Keeper shall make the necessary entries in columns 9 to 16 of the Pound Register and fill up a Release Pass with its counterfoil in Form B-52. He shall then demand the fines and charges due on account of the impounded animal and on their receipt shall take the signatures or thumb-mark of the owner or his agent in column (20) of the Pound Register and the signatures or thumb-mark of some person who can identify the person claiming the animal as the owner thereof or his agent, as the case may be, in column (21) and shall then release the impounded animal.

(2) The progressive total of the sums received shall be entered at the foot of each counterfoil of the Release Passes at the time when counter-foil is filled up and the passes issued, and the entering of the total not be deferred till the end of the day.

Sale of
Animals.

35-C. (1) When a pound is directly managed by the Gram Panchayat, every sale of impounded animal shall be conducted under the direct supervision of the Block Development Officer or his nominee or of a member of the Gram Panchayat or of such other person as the Gram Panchayat may appoint in this behalf.

(2) The Pound-Keeper shall attend every sale of impounded animals unless exempted from such attendance by general or special orders of the Gram Panchayat on the ground that his attendance would prejudice his other duties. He shall take with him his Pound Register and his counterfoil book of receipts for the purchasers of the impounded animals sold in Form B-53.

(3) When under the provisions of sub-rule (2), the Pound-Keeper does not attend a sale, the officer conducting the sale shall give to the purchasers of the impounded animals a receipt in Form B-53, and shall remit to the treasury, with a Challan in Form B-13, the amount of the sale proceeds, if any, and shall send to the Pound-Keeper—

(a) the two foils of the challan received back from the treasury duly signed to be dealt with as provided for in rule 35-H; and

(b) A memorandum showing—

(i) the number and description of animals sold;

- (ii) the date on which sold;
- (iii) the names and addresses of the purchasers;
- (iv) the amount for which sold; and
- (v) the number of animals, if any, returned unsold:

Provided that if the animals sold have been impounded otherwise than under Chapter III of the Cattle Trespass Act, 1871 the officer conducting the sale shall not remit the amount in respect of such animal to the treasury but shall send it to the Pound-Keeper together with the memorandum specified in clause (b) of this sub-rule.

35-D. When impounded animals are sold, the Pound-Keeper shall, if he has attended the sale, enter the details of sale in the Pound Register and give to the purchaser of such animals a receipt in Form B-53.

Receipt to be issued.

35-E. When impounded animals have been sold under the authority of section 14 or section 16 of the Cattle Trespass Act 1871, the account to be delivered to the owner as required by that section, shall be drawn up by the Pound-Keeper in the form of a memorandum in form B-54 and the receipt referred to in section 16 of the said Act shall be taken in the last column of the Counterfoil.

Memorandum showing disposal of Proceed of sale.

35-F. When animals impounded otherwise than under Chapter III of the Cattle Trespass Act, 1871 have been sold, the Pound-Keeper shall fill up a memorandum in the same manner as prescribed in rule 35-E, but the sale proceeds, after deduction of the fines leviable, the expenses of feeding and watering and expenses of sale, if any, shall be made over to the Court or officer under whose authority the sale was ordered. The words "authorising officer or his agent" being substituted for owner wherever the latter occurs in the memorandum in Form B-54.

Net sale proceeds to be sent to court.

35-G. The Pound-Keeper shall, immediately on receipt, add to the last progressive total entered in the counterfoil of Release Pass all sums received by him on behalf of the Gram Panchayat on account of impounded cattle sold, and also the amounts remitted direct to the treasury by the officer conducting the sale in accordance with the provisions of rule 35-C (2).

Sums received on behalf of the Panchayat.

35-H. (1) At such times as may be fixed by the Gram Panchayat, but at least once a month the Pound-Keeper shall remit his collections to the Treasury with a challan in Form B-13, of the two foils of the Challan received back from the Treasury duly signed, one shall be pasted in the Release Pass Book as evidence of the remittance having been made, and the other shall be sent to the Secretary of the Gram Panchayat to enable him to enter the amount in his Cash Book.

(2) The Challan submitted under sub-rule (1) shall specify—

- (1) Net sale proceeds of unclaimed cattle,
- (2) Other receipts.

Explanation:—The amount shown under head (1) shall be the sums entered in column 18 of Form B-50 as "Surplus credited to Account".

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1 of 1871

Remittance of Pound collections to Treasury.

(3) The Gram Panchayat shall arrange for the remittance of the collections by money order in cases where this course is necessary in order to avoid interruption in the Pound-Keeper's duties.

Explanation.—Charges for feeding and water appropriated by the Pound Keeper, the balance of the purchase money under section 16 of the Cattle Trespass Act, 1871 and the net sale proceeds under rule 35-F are not received on behalf of the Gram Panchayat.

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(4) The collections shall be accounted for by the Gram Panchayat in its monthly account in Form B-18 under head "Suspense" and credited to the provincial revenues under the head which may be allotted by the Government at the end of each month when the monthly account is closed, after deducting the amount paid, if any to the owners of the impounded cattle under section 17 of the Cattle Trespass Act, 1871.

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Claims for
sale of un-
claimed ani-
mals.

35-I. (1) When a claim is preferred under section 17 of the Cattle Trespass Act, 1871 to any sum credited as the net sale proceeds of the unclaimed cattle, the original credit shall be traced in the Pound Register and if, on investigation the claim is established, the amount repayable shall be paid under the written orders of the Gram Panchayat and the payment shall be brought to account direct in the Cash-Book. The fact of the payment and the number and date of the payment voucher shall be noted in the remarks column of the Pound Register against the entry of the original credit.

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(2) No claim for the refund of the net sale proceeds of unclaimed animals shall be entertained if it is preferred and established after the expiry of six months from the date of the sale.

(3) When an investigation into a claim can not be undertaken by the Gram Panchayat, it may, at the request of the Gram Panchayat be made through the District Magistrate.

Feeding &
watering of
animals.

35-J. (1) The Gram Panchayat may give an advance not exceeding ten rupees, to the Pound Keeper for the purpose of feeding impounded animals.

(2) The charges for feeding and watering different classes of animals shall be fixed by the Gram Panchayat from time to time at such rates that the receipts from this source do not exceed the actual cost of feeding and watering; provided that half the daily charges for feeding shall be recovered when an animal has been in the pound for less than eight hours, provided that no feeding charges shall be recovered from the owner of an animal impounded after the hours fixed for feeding and if released before that.

Inspection
of Pound.

35-K. A Pound under the management of a Gram Panchayat shall be open to inspection by any member of the Gram Panchayat, the Secretary of the Gram Panchayat and also by the Government audit staff. The Secretary of the Gram Panchayat shall ensure that every Cattle Pound is inspected at least once a quarter and the result of inspection recorded in an Inspection Book to be kept at the pound. A copy thereof shall be submitted by the Inspecting Officer to the Pradhan of the Gram Panchayat for his information and action, if any.

35-L. A Pound Ledger in Form B-55 shall be maintained in the office of the Gram Panchayat, a separate page being assigned to each pound in which shall be shown all expenditure on each pound and all income received from each pound, and at the end of the year a statement shall be compiled by the Secretary and laid before the Gram Panchayat showing the net loss or gain to the Gram Panchayat during the year from each pound."

Pound Ledger to be maintained

Simla-2, the 7th October, 1977

No. PCH. H-A(3)-1/77.—In exercise of the powers conferred by section 163 of the Himachal Pradesh Panchayati Raj Act, 1968 (Act No. 19 of 1970) read with clause (b) of section 63 of the said Act, the Governor, Himachal Pradesh, proposes to make the following amendment in the Himachal Pradesh Panchayat Samitis (Co-option of Members) Rules, 1973 issued *vide* Government notification No. 4/2/71-CDP (PNT)-II, dated 2nd July, 1973 and published in the Rajpatra (Extraordinary), dated 27-8-1973, and the same is hereby published in the official gazette for the information of the general public and a notice is hereby given that this draft amendment will be taken into consideration after fifteen days from the date of its publication in the official gazette.

If any person affected thereby, desires to take any objection or has any suggestion to make regarding this amendment, he can send the same to the Director of Panchayati Raj, Himachal Pradesh, Simla-2 before the expiry of the above period. The objections or suggestions, if any so received, will be taken into consideration before finalizing it.

DRAFT AMENDMENT

1. After rule 9 of the Himachal Pradesh Panchayat Samitis (Co-option of Members) Rules, 1973, the following Rule 10, shall be added, namely:—

"10. Any dispute relating to co-option shall be decided by the District Magistrate after taking such evidence as he deems sufficient and his decision thereon shall be final."

Simla-2, the 7th October, 1977

No. PCH-H-A(3)-1/77.—In exercise of the powers conferred by section 163 read with clause (f) of sub-section (3) of section 139 of the Himachal Pradesh Panchayati Raj Act, 1968 (Act No. 19 of 1970), the Governor, Himachal Pradesh, proposes to make the following amendment in the Himachal Pradesh Zila Parishads (Co-option of Members) Rules, 1973 issued *vide* this Government notification No. 4-2/71-CDP (PNT)-II, dated 12nd June, 1973 published in the Rajpatra (Extraordinary) dated 16th June, 1973 and the same is hereby published in the official gazette for the information of the general public and a notice is hereby given that this draft amendment will be taken into consideration after 15 days from the date of its publication in the official gazette.

If any person affected thereby, desires to take any objection or has any suggestion to make regarding this amendment, he can send the same to the Director of Panchayati Raj, Himachal Pradesh, Simla-2 before the expiry of the

above period. The objections or suggestions if any, so received, will be taken into consideration before finalizing this draft amendment in the aforesaid rules.

DRAFT AMENDMENT

1. After Rule 9 of the Himachal Pradesh Zila Parishads (Co-option of Members) Rules, 1973 the following rule 10 shall be added namely:—

“10. Any dispute relating to co-option shall be decided by the District Magistrate after taking such evidence as he deems sufficient and his decision thereon shall be final.”

S. BRAR,
Under Secretary.



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, 15 अक्टूबर, 1977/23 आश्विन, 1899

GOVERNMENT OF HIMACHAL PRADESH

TRANSPORT DEPARTMENT

NOTIFICATION

Simla-171002, the 1st October, 1977

No. 6-15/76-Tpt.—The following draft reciprocal agreement relating to the operation of public carriers on inter-state routes which is proposed to be entered between the Union territories of (1) Chandigarh and Delhi and the States of (1) Bihar, (2) Haryana, (3) Himachal Pradesh, (4) Jammu and Kashmir, (5) Punjab, (6) Rajasthan, (7) Uttar Pradesh, (8) West Bengal, is hereby published in the Official Gazette for the information of persons likely to be affected thereby, as required by sub-section (3A) of section 63 of the Motor Vehicles Act, 1939;

The proposal will be taken into consideration after the expiry of a period of thirty days from the date of the publication of this notification in the Official Gazette together with any objection